

REMARKS

In response to the Office Action mailed on April 3, 2009, Applicants respectfully requests reconsideration. Claims 1-4, 6-21, 23-33, 42 and 43 are now pending in this Application. Claims 1, 17 and 18 are independent claims and the remaining claims are dependent claims. In this Amendment, claims 1, 2, 6, 7, 9-11, 13, 17, 18, 24, 27-28 and 30 have been amended and claims 5, 22 and 34-41 have been cancelled and claims 42 and 43 have been added. Applicants believe that the claims as presented are in condition for allowance. A notice to this affect is respectfully requested.

Claims 1-35 and 40 were rejected under 35 U.S.C. §101 as lacking a useful, concrete and tangible result. The claims have been amended and clearly recite a device or system for providing a service to mobile phone subscribers providing updates to events while they are ongoing, such as sporting events and the like. Accordingly, the rejection is believed to have been overcome.

Claims 1-41 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,157,935 to Tran et al. (hereinafter Tran). Applicants respectfully disagree with these contentions and assert that the present claimed invention is not anticipated by any disclosure in the Tran reference.

Described below is a description of a specific embodiment, that is being used by the Applicant. The Applicant offers a service to mobile phone subscribers where reports are sent from soccer matches. These reports are sent in as near as possible a real-time manner. For example, a fan of Manchester United may subscribe to such a service. Then, they will receive SMS multimedia messages during each game Manchester United play. These messages are sent as updates during the game, for example whenever a goal is scored in that game and at key points in the game such as at half time and at full time. The SMS

message will comprise both text and images, e.g. photos of action from the game, captions for the images and textual reports of the game. For example, the SMS message may include an update of the score following a goal, a verbal description of a goal just scored and a photo of the player scoring the goal. This patent application is concerned with how to manage image files at the soccer game to allow them to be integrated into the SMS message quickly enough to allow speedy transmission of the SMS updates.

Photographers will be present at the stadium where the soccer game is being played. Typically, they will be seated around the edge of the soccer pitch. They will shoot tens or hundreds of photographs during the game, any of which may be included in an SMS message. Each photographer keeps a laptop with them, and master image files of the images taken by their digital camera are transferred to the laptop over a wired link. File transfer between the camera and laptop is not problematic as traffic across their connection should be manageable.

The laptop creates preview image files from the incoming master image files, e.g. using compression techniques and/or decreased resolution. These relatively small preview image files are then sent to an editing facility located elsewhere within the stadium, e.g. in a press box. The editing facility is linked to the laptops of the many photographers using a wireless network, and hence the network sees much traffic.

Editors at the editing facility compose the SMS messages. The editors view the incoming preview images and can select any of these preview images for inclusion in an SMS message. Once a preview image is selected, a request for the corresponding master image file is sent to the appropriate photographer's laptop via the wireless network. The laptop responds by sending the master image file across the wireless network.

It is clearly desirable to be able to send out SMS messages as quickly as possible, for example to alert subscribers to a team scoring a goal. The large volume of network traffic between the photographers' laptops and the editing

facility can cause delay. Advantageously, the invention reduces the traffic across the wireless network, hence increasing speed of file transfers. This is achieved by sending preview image files in the first instance rather than master image files. An editor in the editing facility may be presented with typically hundreds of preview images from which to choose the one or two to be included in the SMS message. The larger-size master image files are only sent for the very few images chosen for inclusion in SMS messages. Hence, the vast majority of the network traffic is the reduced-size preview image files. This is described on pages 18 and 19 of the application.

In our main claims, we refer to the laptop as a "terminal", and to the combination of the camera and laptop as a "photographic station". The claims refer to the editing facility at the venue as the "first editing facility". The claims also mention a "second editing facility". This is typically located away from the venue, and may be the headquarters of the media company running the overall system. However, the focus of the invention is the link from the terminal to the first editing facility and not the onward link to the second editing facility.

The prior art raised by the Examiner (Tran – US 6,157,935) appears to describe nothing more than a PDA or like device provided with a camera and software for image compression. Hence, it is far from what is now required by our claims. For example, Tran cannot be a distributed system as required by claim 1, and it cannot have a first editing facility located away from the camera and terminal. Accordingly, amended claim 1 is believed allowable over Tran. Claims 17 and 18 contain similar language with respect to a distributed system and a remotely located editing facility, and are believed allowable for at least the same reasons as amended claim 1. Claims 2-4, 6-17, 19-33, 42 and 43 depend from claims 1 or 18 and are believed allowable for at least the same reasons as claims 1 or 18.

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In view of the above, the Examiner's rejections are believed to have been overcome, placing the pending claims in condition for allowance and reconsideration and allowance hereof is respectfully requested.

Applicants hereby petitions for any extension of time which is required to maintain the pendency of this case. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50-3735.

If the enclosed papers or fees are considered incomplete, the Patent Office is respectfully requested to contact the undersigned collect at (508) 616-9660, in Westborough, Massachusetts.

Respectfully submitted,

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